



# THE ERIE COUNTY LEGISLATURE

Session No. 3  
February 2, 2006

Lynn M. Marinelli  
*Chairman*

Maria R. Whyte  
*Majority Leader*

Barry A. Weinstein  
*Minority Leader*

Kevin M. Kelley  
*Clerk of the Legislature*

---

## ROLL CALL

---

INVOCATION – Mr. Weinstein

---

PLEDGE OF ALLEGIANCE – Mr. Kennedy

---

RULES OF THE LEGISLATURE FOR 2006

---

TABLED ITEMS

---

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

---

MINUTES OF PREVIOUS MEETING

---

PUBLIC HEARING

---

## MISCELLANEOUS RESOLUTIONS

|                |   |
|----------------|---|
| MARINELLI      | Recognizing February 14, 2006 as Project Safe Place Day in Erie County (Compass House)  |
| MAJORITY PARTY | Honoring Brian Lipke for Receiving the 2006 National Human Relations Award from the Buffalo Niagara Chapter of the American Jewish Committee of February 7, 2006                                |
| MAJORITY PARTY | Honoring Joann Falletta for Receiving the 2006 National Human Relations Award From the Buffalo Niagara Chapter of the American Jewish Committee of February 7, 2006                             |
| WEINSTEIN      | Honoring Jane S. Woodward on the Occasion of Her Recognition by the Town of Amherst Republican Party for her Tireless Efforts on Behalf of the Residents of Erie County                         |
| WEINSTEIN      | Honoring the 2006 Winner of the Interclub Council of WNY Susan B. Anthony Award the Honorable Sharon S. Townsend, Administrative Judge of the Eighth Judicial District of the NYS Supreme Court |
| HOLT & SMITH   | In Memory of Ida Park   |
| SMITH & HOLT   | Recognizing February 13, 2006 as National African American Parental Involvement Day   |
| MARINELLI      | Recognizing February 4, 8 & 16 as Annual National Girls & Women in Sports Day in Erie County  |

**LOCAL LAWS**

**REFERENCE**

---

|                         |         |   |
|-------------------------|---------|---|
| LL INT 2-1<br>1/12/2005 | KENNEDY | A LL in Relation To a Requirement for Worker Training Programs by Contractors & Subcontractors Under Contract With The County of Erie |
|-------------------------|---------|---|

---

|                         |       |                                     |
|-------------------------|-------|-------------------------------------|
| LL INT 7-1<br>3/30/2005 | SMITH | The Local Law To Retain Jobs in NYS |
|-------------------------|-------|-------------------------------------|

---

|                           |           |  |                    |
|---------------------------|-----------|--|--------------------|
| LL INT 12-1<br>10/19/2005 | MARINELLI | A LL Amending the EC Charter & EC Administrative Code as Amended, in Relation to the Titles and Positions of Deputy Commissioner and Deputy Director | Government Affairs |
|---------------------------|-----------|--|--------------------|

---

|                         |  |   |
|-------------------------|--|---|
| LL INT 1-1<br>1/25/2006 | KENNEDY, MARINELLI, WEINSTEIN, WNYTE, KOZUB, HOLT, SMITH, MAZUR, IANNELLO, REYNOLDS & LOUGHRAN | A LL in relation to a requirement for Worker Trainer Programs by Contractors & Subcontractors under Contract with County of Erie. |
|-------------------------|--|---|

---

**COMMITTEE REPORTS**

---

|              |                  |
|--------------|------------------|
| REPORT NO. 2 | HEALTH COMMITTEE |
|--------------|------------------|

---

|              |                      |
|--------------|----------------------|
| REPORT NO. 2 | FINANCE & MANAGEMENT |
|--------------|----------------------|

---

|              |                      |
|--------------|----------------------|
| REPORT NO. 2 | ECONOMIC DEVELOPMENT |
|--------------|----------------------|

---

|              |                      |
|--------------|----------------------|
| REPORT NO. 2 | ENERGY & ENVIRONMENT |
|--------------|----------------------|

---

|              |                    |
|--------------|--------------------|
| REPORT NO. 2 | GOVERNMENT AFFAIRS |
|--------------|--------------------|

---

|              |                      |
|--------------|----------------------|
| REPORT NO. 2 | COMMUNITY ENRICHMENT |
|--------------|----------------------|

---

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

---

|           |           |  |
|-----------|-----------|--|
| INTRO 3-1 | MARINELLI | Designation of Provider for Erie County Audit Services for 2005-2010 |
|-----------|-----------|--|

---

|           |       |  |
|-----------|-------|--|
| INTRO 3-2 | SMITH | Institution of Mid-Year Budget Hearings by Erie County Legislature |
|-----------|-------|--|

---

|           |  |                                       |
|-----------|--|---------------------------------------|
| INTRO 3-3 | KONST, LOCKLEAR, IANNELLO, REYNOLDS, SMITH, WEINSTEIN, MILLS & WHYTE | Ad Hoc Committee on Personnel Request |
|-----------|--|---------------------------------------|

---

|           |           |  |
|-----------|-----------|--|
| INTRO 3-4 | MARINELLI | Home Rule Message to NYS Legislature on Sales & Compensating Use Tax |
|-----------|-----------|--|

---

|           |                   |  |
|-----------|-------------------|--|
| INTRO 3-5 | MARINELLI & WHYTE | 2006 Budget & Grant Funded Services & Grant Funded Employees |
|-----------|-------------------|--|

---

|            |   |  |
|------------|---|--|
| INTRO 3-6  | MARINELLI   | 2006 Legislature Budget Technical Amendments   |
| INTRO 3-7  | MARINELLI   | Appointments and Reappointments to Fill Board Vacancies  |
| INTRO 3-8  | MARINELLI   | Appointments to Fill Erie County Home Health Care Advisory Board Vacancies   |
| INTRO 3-9  | WEINSTEIN & MILLS                                 | Requesting Erie County Comptroller to Audit the City of Buffalo - Erie County Parks Merger   |
| INTRO 3-10 | LOCKLEAR, KONST, MAZUR, HOLT, REYNOLDS & LOUGHRAN | Long & Short-Term Debt Analysis  |
| INTRO 3-11 | LOCKLEAR, KONST, WEINSTEIN & MAZUR                | Extension of the "Eighth Penny" & Establishment of "The Stakeholders Task Force on Rationalizing Revenue Sharing & Intergovernmental Services" |

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

| <b><u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u></b> |                  |  | <b><u>REFERENCE</u></b> |
|--|------------------|--|-------------------------|
| COMM. 3E-1   | COMPTROLLER      | Sheriff Dispatchers  | RFP                     |
| COMM. 3E-2   | COMPTROLLER      | ERI Incentive in Governor's Proposed Budget  | Finance & Management    |
| COMM. 3E-3   | REYNOLDS         | Legislative District Office  |                         |
| COMM. 3E-4   | LOCKLEAR         | Legislative District Office  |                         |
| COMM. 3E-5   | COMPTROLLER      | Audit and Review of Operations of the Erie County Board of Elections   | Government Affairs      |
| COMM. 3E-6   | COUNTY EXECUTIVE | DPW's Participation in the Shared Municipal Service Incentive Grant Program  | Economic Development    |
| COMM. 3E-7   | COUNTY EXECUTIVE | DA's Office - Federal Family Violence Prevention Services Act (FFVPSA) Grant   | Public Safety           |
| COMM. 3E-8   | COUNTY EXECUTIVE | Buffalo & Erie County Botanical Gardens, Houses 11 & 12 Reconstruction - Contingency Fund Increase                     | Economic Development    |
| COMM. 3E-9   | COUNTY EXECUTIVE | Rath Building Cooling Replacement - Engineer's Supplemental Agreement  | Economic Development    |
| COMM. 3E-10  | COUNTY EXECUTIVE | ECSD No. 1 - Engineering Service Agreements - Work Order: URS-4, Legislative Comm. 21E-33                              | Energy & Environment    |
| COMM. 3E-11  | COUNTY EXECUTIVE | EC Division of Sewerage Management - Proposed Agreement, Staff Development Services - Electronic Filing System Project | Energy & Environment    |
| COMM. 3E-12  | COUNTY EXECUTIVE | ECSD No. 4 - Engineer Term Agreement - Work Order: GPI-7   | Energy & Environment    |
| COMM. 3E-13  | COUNTY EXECUTIVE | ECSD Nos. 1, 2, 3, 4 & 5 - Engineering Agreement Close-Out - Web-Based O&M Manuals - Malcom Pirnie, Inc.               | Energy & Environment    |
| COMM. 3E-14  | COUNTY EXECUTIVE | Health - Working with Wellness Program - 1/1/06 - 12/31/06   | Health                  |
| COMM. 3E-15  | COUNTY EXECUTIVE | Health - Children with Special Health Care Needs - 10/1/05 - 9/30/06 - SAP Title: 127CWSHCN0506                        | Health                  |
| COMM. 3E-16  | COUNTY EXECUTIVE | ECSD & STSTA - Engineering Agreement Close-Out - 2002 - Term Agreement - URS Corporation                               | Energy & Environment    |
| COMM. 3E-17  | COUNTY EXECUTIVE | WNY Stormwater Management Implement Project - Additional GIS Mapping Services  | Energy & Environment    |

|             |                  |   |                      |
|-------------|------------------|---|----------------------|
| COMM. 3E-18 | COUNTY EXECUTIVE | MOA: WNY Stormwater Coalition   | Energy & Environment |
| COMM. 3E-19 | COUNTY EXECUTIVE | WNY Stormwater Coalition Software Purchase Program                                    | Energy & Environment |
| COMM. 3E-20 | COUNTY CLERK     | Appointment to Charter Revision Commission  | RFP                  |
| COMM. 3E-21 | WEINSTEIN        | Minority Appointment of its Non-Voting Representative to the ECMCC Board of Directors | RFP                  |
| COMM. 3E-22 | MARINELLI        | Majority Appointment of its Non-Voting Representative to the ECMCC Board of Directors | RFP                  |
| COMM. 3E-23 | SHERIFF          | Erie County Sheriff's Office  | Public Safety        |

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE**

|             |                              |  |                    |
|-------------|------------------------------|--|--------------------|
| COMM. 3D-1  | BECPL                        | Proposed Agenda to Board of Trustees Meeting held 1/19/2006        | R&F                |
| COMM. 3D-2  | COUNTY ATTORNEY              | Erie County Sheriff's PBA vs. Erie County Sheriff & County of Erie | R&F                |
| COMM. 3D-3  | OFFICE OF THE COMPTROLLER    | Suggested Resolution for Erie County Audit Services                | R&F                |
| COMM. 3D-4  | ECC                          | Agenda for Board of Trustees Meeting Held 1/25/06                  | R&F                |
| COMM. 3D-5  | BOARD OF ELECTIONS           | HAVA Requirements: Election Inspector Compensation                 | Government Affairs |
| COMM. 3D-6  | ECC                          | Minutes of Monthly Meeting Board of Trustees held 12/14/05         | R&F                |
| COMM. 3D-7  | PERSONNEL                    | Notice of Cancellation of Civil Service Exam                       | R&F                |
| COMM. 3D-8  | BUDGET, MANAGEMENT & FINANCE | Copy of Letter to Comptroller Re: Board of Elections Audit         | R&F                |
| COMM. 3D-9  | BOARD OF ELECTIONS           | HAVA Requirements  | Government Affairs |
| COMM. 3D-10 | CLERK OF THE LEGISLATURE     | Legislator District Offices  |                    |
| COMM. 3D-11 | PERSONNEL                    | Hires/Separations November & December 2005                         | R&F                |

| <b><u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u></b> |                                      |   | <b><u>REFERENCE</u></b> |
|--|--------------------------------------|---|-------------------------|
| COMM. 3M-1   | KENNETH C. KRULY                     | Resignation from Erie County Charter Revision Commission                        | RFP                     |
| COMM. 3M-2   | ERIE-NIAGARA REGIONAL PARTNERSHIP    | Agenda for ENRPA Meeting Held 1/27/06   | R&F                     |
| COMM. 3M-3   | TOWN OF HOLLAND                      | Certified Resolution Re: Support for Public Hearing to Eliminate 190 Toll Booth | R&F                     |
| COMM. 3M-4   | NYS FISH & WILDLIFE MANAGEMENT BOARD | Membership to Fish & Wildlife Management Board                                  | R&F                     |
| COMM. 3M-5   | ECFSA                                | Resolution Accepting the FY 2006 Budget and Modified Four-Year Plan for FY2006  | Finance & Management    |

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**